

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David A. Monroe

Serial No.: 09/143,232

Filed: August 28, 1998

For: MULTIFUNCTIONAL REMOTE CONTROL SYSTEM FOR AUDIO RECORDING, CAPTURE, TRANSMISSION AND PLAYBACK OF FULL MOTION AND STILL IMAGES

Group Art Unit: 2616

Examiner: Chevalier

Docket No. 121817.0002.022
(067839.00700)

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE OF ABANDONMENT DATED 08/23/2005

Sir:

In response to the Notice Of Abandonment mailed on 08/23/2005, Applicant contends that the application is not in fact abandoned as a proper and timely reply was in fact filed.

Per 1.181(b) Applicant submits the following information:

1. A statement of the facts involved;
2. The point or points to be reviewed;
3. The action requested; and
4. Exhibits in the form of copies of the:

Notice of Allowance and Part B Fee Transmittal Form:

Officially stamped post card;

USPTO Transmittal form indicating a February 3, 2005 mailing date, and

USPTO Fee Transmittal for FY 2005.

1. A statement of the facts involved

Applicant filed the above noted patent application on 08/28/1998 and received a notice of allowance on 11/04/2004 (please see the Notice of Allowance). As reflected in the Date Due section, the issue fee was to be paid by 02/04/05. The Transmittal Form including a properly executed Certificate of Mailing, Fee Transmittal Form, Part B Fee Transmittal, and an officially stamped post card were mailed on 02/03/05 which was one day prior to the issue fee due date.

2. The point or points to be reviewed

Applicant respectfully requests a review of the facts presented above.

3. The action requested

Applicant respectfully requests that the abandonment be lifted and the application placed in condition for allowance.

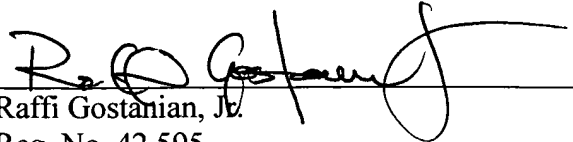
Applicant has further submitted a new Fee Transmittal form and a credit card payment form in the amount of \$1,400. Although the issue fee due is \$1,370, an amount of \$1,400 is being submitted to remain consistent with the earlier filed Fee Transmittal form.

REMARKS

Per the information presented above, Applicant contends that the application is not in fact abandoned and respectfully requests it be passed to allowance.

If the Examiner has any other matters which pertain to this Application, the Examiner is encouraged to contact the undersigned to resolve these matters by Examiner's Amendment where possible.

Respectfully Submitted,

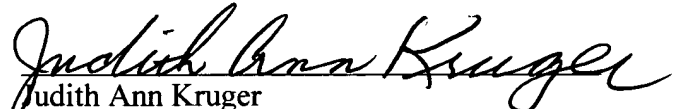

Raffi Gostanian, Jr.
Reg. No. 42,595

Date: 9/12/05

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL – POST OFFICE TO ADDRESSEE in an envelope addressed to: Mail Stop: Issue Fee, Commissioner For Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 12, 2005. The Express Mail Label No. is EQ090966182US.


Judith Ann Kruger